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WILLIAM T. WALSH M
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MERCK SHARP & DOHME
PHARMACEUTICALS SRL,

Plaintiff,

v.

TEVA PHARMACEUTICALS USA,
INC., and TEVA PHARMACEUTICAL
INDUSTRIES, LTD.,

Defendants.

Civil Action No. 09-0233 (GEB)(TJB)

[PROPOSED] CONSENT ORDER
ADMINISTRATIVELY TERMINATING
THIS ACTION PENDING THE ENTRY
OF APPROPRIATE FINAL JUDGMENT

THIS MATTER having been jointly presented to the Court by Consent Order by Plaintiff Merck Sharp & Dohme Pharmaceuticals SRL and Defendants Teva Pharmaceuticals USA, Inc., and Teva Pharmaceutical Industries, Ltd., and all parties consenting to administratively terminate the above captioned case ("Singulair® II") provided that Singulair® II be reopened for the entry of final judgment upon the entry of final judgment in Civil Action No. 07-1596 (GEB)(TJB)(Consolidated) ("Singulair® I") per the Stipulation and Order Regarding Final Judgment dated April 3, 2009;

IT IS on this 15 day of April, 2009,

ORDERED that the above captioned case will be administratively terminated; and

IT IS FURTHER ORDERED that upon the entry of final judgment in Singulair® I, the above captioned case will be immediately reopened for entry of final judgment consistent with the result in Singulair® I, as anticipated by the Stipulation and Order Regarding Final Judgment dated April 3, 2009.

Dated: April 15, 2009

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IT IS SO ORDERED.

Respectfully submitted,

By: s/ Michael E. Patunas

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The Honorable Tonianne J. Bongiovanni
United States Magistrate Judge